

# THE VALUE OF ETHICS EDUCATION FOR PARLIAMENTARIANS

*Cristina Neesham*

*This chapter examines the rationale for ethics education for parliamentarians, in view of the public significance of ethical behaviour in the discharge of the parliamentary role. The themes explored here are the public exemplary nature of parliamentarians' behaviour, the relationship between this behaviour and social norms, the types of outcomes that explicit and implicit ethics education and/or training can be expected to deliver, the means and processes by which these outcomes can be produced, and the responsibilities of those who do and/or can play a key role in the ethics education process (e.g. leaders of the institution of parliament, experienced members and staff, role models of the past, ethics specialists, political parties, the media and the public). This chapter briefly reviews current ethics education practices in parliaments, and outlines, evaluates and recommends a new approach to parliamentary ethics education, which is likely to be more effective in contemporary democracies.*

## 1. The rationale for ethics education

Scandals involving Members of Parliament (MPs) abusing their powers and privileges to obtain personal benefits at public expense, or more broadly engaging in acts deemed by the public to be immoral, have occupied prominent media space over the last two decades (Birch & Allen 2011, Kenny 2009, Thompson 2013, Williams 2010). The scandals are widespread and affect affluent countries (e.g. UK, Australia, Germany), developing countries (e.g. Thailand, Kenya, Uganda), experienced democracies (e.g. US, Canada), younger democracies (e.g. Romania, Ukraine) – no one country has been spared. This has led to a sharp decline in the public reputation of politicians (Fox 2012, Lewis 2002, Martin 2013).

However, changes in the moral sensibilities of the community towards their elected representatives explain in part the media reporting of MP-related sleaze (Fielding 2014) just as much as actual changes in the behaviour of MPs. Other causes relate to changes in representation practices, the gradual erosion of the parliament's institutional autonomy (Allen 2011), and the strengthening of 'monitory democracy' worldwide (Keane 2009). All of this should alert MPs to the more demanding need to act ethically and be seen to do so (Fournier 2009). This means that MPs must have the willingness and ability to understand public moral sensibilities, which cannot be taken for granted.

What are we to learn from this? Ethical behaviour is one of the most sensitive issues in the public's appraisal of the performance of MPs. Not only is this dimension sensitive, due to its emotional nature, it is also central to the evaluation of an MP's achievements, competence and reputation. It can be said that moral standing often makes or breaks a parliamentary

career. As public trust is central to a political career (Hetherington 2005), citizens tend to more easily forgive an honest decision-maker who is not perceived to be the brightest or most competent over a hyper-intelligent master of deceit.

Why is the public evaluation of parliamentary activity in moral terms (as opposed to technical criteria) so prevalent? To start with, in a democracy the power of political decision-makers is conferred on condition that they use their power in the public interest. This is an overriding principle: interests compatible with the public interest are subordinated to it and those not so compatible are excluded. To counteract any agency problems between the electorate (as principal) and its representatives (as agents), a type of fiduciary duty requires MPs to behave in accordance with public interest principles. This also legitimates the exposure of their actions to public scrutiny and accountability.

In this context, the privilege of making decisions that affect the lives of others also comes with the responsibility to give a superior example of leadership in all key functions of parliamentary activity, be it representation of the electorate, legislation, or oversight of government (Hazell 2001). This condition is central to a just social contract, as an application of Rawls's (1971) difference principle reveals: the only reason why I, as a free citizen equal with all others, would rationally accept to curtail my freedom in making decisions that affect my own life, and delegate some of those decisions to an elected representative, is the possibility that this representative is better placed to make decisions that (in aggregate) affect me and others like me, than I would myself. This social contract relies on the possibility that the outcomes of these decisions make me better off than I would be if I made my own decisions (Rawls 1971). This helps to explain why, when citizens are presented with behaviours they would not have engaged in, out of a common sense of decency, they could feel not only disillusioned but betrayed: the fundamental terms of the social contract have been challenged.

Moreover, moral evaluations of the behaviours of political leaders involve judgments on choices they make as human beings with basic life values – a condition we all share. Therefore, unlike more 'technical' types of decisions, ethical decisions are universally accessible to scrutiny by others, from a position of equality. In addition, moral evaluations engage personal emotions, and thus become acceptable outlets for social envy (Hughes 2007). As public appraisals contribute significantly to a one's profile as a moral person, it can be concluded that parliamentarians have compelling reasons to constantly reflect on the ethical dimensions of their actions, and to include the perspectives of various stakeholders and of the wider community into these reflections.

My contention is that this reflective activity should not be a lonely endeavour. Ethics education, whether explicit or implicit, should be debated, encouraged, developed and diversified, to support MPs in their increasingly complex role, in an increasingly complex society. Contrary to popular opinion, acting ethically as an MP may not always be a straightforward exercise as it may seem. Main causes identified for this by the specialist literature are the lack of clarity in the role of MP (Jones 2006, Searing 1994) and its sometimes conflicting responsibilities, many MPs' lack of preparation for this difficult role

upon entering parliament (Coghill, Lewis and Steinack 2012), and for the increasing media pressures to which they are subjected (Lewis 2012).

This chapter outlines the different forms of ethics education (structured/explicit and, respectively, unstructured/implicit) that MPs can engage in, the outcomes that these different types of education can be expected to deliver, and the responsibilities of those who do and/or can play a role in the ethics education process. Following a brief review of current ethics education practices in parliaments, an alternative approach is recommended, which is likely to improve on the existing practices and support the delivery of more effective outcomes in contemporary democracies.

## **2. Current ethics education practices in parliaments**

To better understand the value of ethics education for parliamentarians, a brief review of the nature and role of the ethics regimes in which parliaments operate is helpful. Ethics regimes are complex systems of norms. Professional ethics applies to a particular professional role, activity and context. In this case, parliamentarians in a particular jurisdiction perform their roles in an institutionalised culture of norms of ethical behaviour, derived from a variety of formal and informal sources and instruments employed by the parliament itself, such as registers of interests, codes of conduct and/or codes of ethics, integrity officers and/or standards, and a tacit understanding of exemplary conduct established by custom or tradition (Allen 2011). Parliament as an institution is in turn embedded in wider ethical systems, comprising laws of the country, public service norms (Preston 2008), ethical principles and practices of the wider society, international laws and global standards.

There is no one-size-fits-all structure for parliamentary ethics regimes, and history plays a significant part in this diversity. For example, while in most parliaments in continental Europe an edict culture based on written prescriptions of conduct prevails, in the United Kingdom the dominant culture is one of etiquette, based on unwritten rules passed on, through practice, from one generation to the next. This conceptual distinction was first made by Atkinson and Mancuso (1992), in a comparison between the US Congress and the British House of Commons, although perhaps the House of Lords reflects the etiquette culture even better. It has been observed that informal ethics regimes tend to invest more trust in self-regulation and personal honour, and also tend to be more resistant to change under the pressure of outside influences (Allen 2011).

Similarly, some parliaments focus on instruments for the introduction and enforcement of specific rules set up for the resolution of agency problems (such as conflicts of interests), while others consider broader ethical principles to support the key objectives of parliamentary activity. Such differences may also occur within the same chamber over time. Allen (2011) outlines the evolution of the British Parliament over the last forty years, from moral minimalism (Jennings 1985) to a more comprehensive perspective on parliamentary ethics as embodied in the Nolan principles (Oliver 1995). Other parliamentary cultures, such as Australia, tend to confine the narrower set of ethical issues characteristic of moral

minimalism to an edict approach, while leaving the broader principles to etiquette. For example, most Commonwealth parliaments seem to converge towards using very similar instruments to address conflicts of interests: registers of interests, codes of conduct, rules for post-separation employment, integrity and/or standards commissioners counselling and/or investigating breaches of conduct (McKeown 2012). These are all key elements in a formal ethics regime, and they constitute the visible culture (Smith 1999). However, these instruments only count for part of the ethics regime. More difficult to capture are the invisible elements, the informal ethical culture which permeates almost every facet of parliamentary life.

When asked about their particular ethics regimes, parliamentary officials will refer to the formal instruments that everyone can recognize – mainly codes of conduct, codes of ethics, and other similar standards-building documents (Coghill, Donohue and Holland 2008). Much less is being discussed about informal support systems, such as the impact of role models on incoming parliamentarians. Furthermore, both ‘insiders’ and ‘outsiders’ are sceptical that the parliament as an institution would take a leadership role in a public debate on ethical behaviours among parliamentarians, or that it would expend much time and resources on addressing big-picture ethical issues related to the role of MP (Coghill, Donohue, Holland, Richardson and Neesham 2009). Yet such approaches would be essential in increasing the parliament’s capacity for oversight of its members, as well as its accountability to the public.

Although it is widely accepted that ethics education and training play a central part in this process, recent international research reveals that, in the majority of parliaments throughout the world, ethics education activities are at best limited to a brief topic within pre-sitting inductions of new MPs shortly after elections. In explaining why ethics education and training is so under-represented in parliaments, several reasons have been invoked. Firstly, it has been argued that MPs are expected to ‘possess indefinable qualities to accomplish an indescribable job’ (Jones, 2006). It is indeed more difficult to adopt a coherent ethical perspective, let alone design specific content, on an occupation whose parameters are so ill-defined. Secondly, many parliamentary officers take a rather instrumental view of what the professional development of MPs may entail. In this view, it is not the role of parliament to teach or tell MPs how to behave: it may be the role of political parties, of the electorate, or of no one in particular. Thirdly, especially in ethics regimes dominated by the informal culture, there is little to persuade MPs that explicit ethics education would be more effective than traditional self-regulation and peer monitoring. Fourthly, parliamentary staff add to the mix a perceived lack of expertise in ethics and/or in designing ethics training content (Coghill et al. 2008).

Moreover, in relation to the complexities of general training for MPs, the teaching of ethics adds problems of its own. Some educators entertain the belief that ethics (and ethical behaviour in particular) is not ‘teachable’ in the sense that, while teaching processes can deliver a certain level of awareness, it cannot claim improvements in ethical behaviour (Bok 2009). People may surface-learn the theory of what is right, yet fail to apply it through their actions. Moral psychology research into this gap between judgment and action (Blasi 1995, Walker 2004) appears to support this view.

In sum, most current ethics education efforts in parliaments take the form of handbooks or brief induction sessions for new MPs. Handbooks are mostly designed to provide guidance on the basic rules of avoiding conflicts of interests, but sometimes extends to seeking agreement on broader principles of ethics and conduct (see Power 2010). Overall, however, ethics education appears to be minimal.

There are several important reasons why citizens may not remain satisfied with these outcomes. To start with, between MPs identifying the need for more, on-going ethics training, parliamentary staff contending that this responsibility should fall on the political parties, and MPs reporting that the latter tend to do very little to address this issue, there is clearly an expectation gap to be filled. When considering the public's increasing skepticism around the legitimacy of self-regulation of parliamentary behaviour (Hardman, 2014), increasing societal expectations of MPs' public accountability and the extensive research indicating the lack of impact of codes of conduct in the absence of education and counselling systems to support them (Jackson and Smith 1995, Preston 2001), the continuing apathy of many parliaments in relation to this issue appears surprising and worrying. Fournier (2009) makes the following compelling argument:

“The responsibility to act is not with the executive, the judiciary or some other body. It clearly lies with parliamentarians. As parliamentarians ‘own’ their ethics rules, so to speak, it is for them to demonstrate leadership and to strengthen existing legislative ethics regimes” (Fournier 2009: 4)

Furthermore, many ethical issues beyond the letter of the law are what we call ‘grey areas’ (the ethical dilemmas), in which so called common sense may not be particularly helpful. While codes of ethics and standards training can reduce unethical behaviour, they are notoriously ineffective in addressing ethical dilemmas (Cooke & Ryan 1988, Roca 2008). There is also a case to be made for ethics education going beyond matters of personal ethics, such as the judgment of intersections between personal and public interests in the allocation of resources. Public ethics entails making decisions that truly take into consideration the pluralistic nature of the values upheld by citizens in a democracy. More than other members of the polis, MPs have a responsibility to respect those values and find solutions to keep the principles of political liberalism (Rawls 1993) alive in a pluralist society. Due to its systemic and conflictual nature, public ethics is often more complex than personal ethics (Lewis and Gilman 2005). The ethical dilemmas in this realm are more frequent, intense, far reaching in their consequences and difficult to solve than those we get exposed to in everyday life. My argument then is not only that MPs should be exposed to more frequent reflections on everyday ethics, or basic citizenship ethics – but to systemic, whole-of-society policy ethics commensurate with their higher-level public and political responsibilities.

In this context, a brief review of different approaches to ethics education may yield some useful conclusions regarding the most effective mix of andragogies (adult education techniques) applicable to the professional development of MPs.

### **3. What we know about ethics education: different approaches and their effectiveness**

Traditionally, ethics education in many settings, whether formal education systems (primary school to university) or professional education systems (e.g. training of specific groups of professionals on industry codes and standards) has been rule-based (Gu and Neesham 2014). This label refers to a set of assumptions underpinning the education process: there is solid confidence that ethics can be taught in a structured setting; ethical decisions should be guided by pre-set general rules, usually recorded in writing; understanding these rules and following them is sufficient to empower the learner to make ethical decisions in almost any future situations.

However, research on the effectiveness of rule-based ethics education has triggered inconclusive findings. Although teaching rules seems to contribute significantly to enhancing awareness of ethical issues (Lau 2010; Rossouw 2002), it has been found less successful in improving ethical behaviour (Hunt and Laverie 2004; Schmidt, Davidson and Adkins 2013). The reasons most frequently invoked for this weakness are the inherent reductionism of general rules, which cannot capture the rich diversity of issues and nuances in ethically charged situations; the open, unpredictable character of future situations for which there is no precedent and therefore no rule; and the usually limited reflection space provided in the teaching of each prescription.

It is useful to consider for a moment the logical structure of rule-based thinking: ‘If presented with situation X, one should act according to rule Y’. This approach may appear unproblematic in routine, familiar contexts – but imagine finding yourself in an unrecognizable situation, which does not fit any of the descriptions in the rule book; or that there is more than one way of acting according to rule Y, each leading to very different consequences. If addressing unpredictable exceptions is an important shortcoming of this approach, even more important is the propensity of teachers and learners alike to lose sight of the rationale behind the rule, to overlook the need to sometimes question and reform inherited prescriptions, and to treat social norms and moral sensibilities as static rather than place them in the context of society’s and/or a profession’s evolution.

Advancing beyond rule-based teaching requires an appreciation of ethical issues as profoundly different in nature from legal issues, with the key difference residing in the more dynamic, socialized, co-evolutionary character of ethical mores. This explains why it is possible for well-trained legal professionals and/or politicians to miss significant ethical nuances in their decisions. It also highlights the need for politicians, MPs in particular, to always keep attuned to the ethical judgments and values of the citizenry they are elected to serve.

An increasing amount of evidence supports advocacy as an alternative approach to teaching ethics, because it is seen to provide more room for reflection and critical thinking, thus better preparing the learner to cope with new situations. One such approach is role-based ethics teaching, which considers more broadly the decision-maker as a person in a social context where they perform a role according to certain social expectations and objectives. So, rather

than asking *what rule should apply here?*, the decision-maker reflects on *how should I discharge my role effectively in this situation?*. This perspective has a wide range of sources, from Confucian (Nuyen 2007) and Aristotelian (Aristotle 1999; MacIntyre 1984; Nussbaum 1999) philosophies, to virtue ethics as applied to various professions and practices, such as medicine (Oakley and Cocking 2001), legal practice (Parker and Evans 2014), and business management (Crossan, Mazutis and Seijts 2012; Mele 2005). Moral psychology studies have also found that ethical awareness, judgment, intention and action (Rest 1984) improve much faster when the agent engages emotionally in the learning process, by appeal to their moral identity (Blasi 1993; Blasi 2005). In the case of MPs, this can be fostered through a parliamentary culture dominated by professional ideals, and a character-building approach to formal and informal mentoring.

However, even with the introduction of role-based teaching, it has been noted that structured, explicit ethics education programs still experience some resistance from learners. No matter how sensitively taught, the very act of discussing ethical issues in any deliberately organized expert-led group setting can be perceived as paternalistic and patronizing, an arrangement increasingly resented as the learner advances in age (Kupfer 1998). MPs' reactions to ethics training in parliaments are no exception. Indeed, parliamentarians' reluctance to allow ethics training as common practice has been noted for some time (Preston 2000).

However, it has also been observed that, without an ethically strong informal culture, written codes of conduct and standards of behaviour are inconsequential (Stapenhurst and Pelizzo 2004). Therefore, it is worth considering some of the perennial sources that MPs tend to get their ethical cues from: the tacit norms embedded in the culture of the chamber, and the mentoring forces in an MP's life, such as chamber leaders, party leaders, and role models drawn from the past. This implicit learning seems more enduring and further reaching than any explicit methods. Yet in these strengths also lie weaknesses. Tacit culture may foster noble values and ideals as well as prejudices and stereotypes. It can be progressive as well as entrenching. Not spoken of, while virtuous in lacking ostentation, tacit culture may also be poor in offering avenues to voice dissent. I will now turn to implications of these conclusions for how both explicit and implicit ethics education should be delivered in parliaments.

#### **4. What should be done in parliaments: explicit and implicit ethics education**

In this section I will sketch some key points for parliamentary leaders and MP professional development designers to consider when incorporating discussions of ethical issues in education and training programs, and other ways they could encourage ethical behaviours. In doing so, I am aware of the need for more research to be undertaken in this area.

##### **4.1 Structured programs**

The above critique of rule-based ethics education is in no way intended to be used to recommend that training MPs on the content of codes of conduct, ethics and standards of

parliamentary behaviour should be abolished or reduced. It simply makes the point that, as such training is insufficient, and hence can be undertaken to leverage other sources of ethics education.

Despite structured, explicit ethics education programs, there is room for more to be done by parliaments throughout the world. Given that a more professional approach is often associated with processes that codify and make explicit most of the tacit culture of an industry or profession (Adams 2010), two main recommendations, designed to improve on the current state of affairs, have already been made. First, to provide preventive advice on ethical issues, rather than react to non-compliance, the parliament should institute an integrity or standards commission whose function is not only to hear and investigate cases of alleged misconduct but also provide counselling and advice (House of Commons 2014). Importantly, commission members undertaking the advisory role should be different from those who investigate actual cases. Regular issue and information sharing meetings should occur between commissioners and parliamentarians (Preston 2007). Secondly, handbooks with an educational purpose should be developed, to support the application of codes of conduct and other instruments specific to formal ethics regimes. Such handbooks ‘should complement and reinforce existing parliamentary rules, but should also reflect globally accepted ethical standards if it is to ensure the integrity of the institution’ (Power 2010, p. 9).

But there is more to explicit ethics education than advisors and handbooks. Seminars and workshops are still important spaces for reflection and debate, at any age and for any occupation – especially around issues that do not easily lend themselves to rule-making. For example, it is certainly more practical to transpose into rules and codes ethical transgressions that are obvious, whose prohibition rationale is very clear, and which may lead to immediate loss of public and professional reputation (e.g. post-separation employment, relations with lobbyists, disclosure of pecuniary interests, misuse of public funds for personal benefit, abuse of power to favour private interests). However, beyond this basic level, the moral life of MPs is subject to wider areas of complexity, ambiguity and vagueness, which may make agreement on ethical dilemma situations rather difficult (Jackson and Smith 1995).

I suggest that, despite accusations of artificiality, explicit ethics education can still effectively contribute to increasing the ethical competence of MPs. The benefits of using experiential learning techniques, such as case studies, scenarios, role plays and simulations, in creating more opportunities for reflection and critical thinking in any professional context have been emphasized (Hannon, McBride and Burns 2004). In addition, for MPs as decision makers in high-level political roles, dealing with complex ethical issues requires skills beyond advocating for particular values. It involves a superior understanding of the ethical dimensions of statecraft (Nolan 2004), and the capacity to develop ethical principles and frameworks allowing for different value systems to coexist in a pluralistic democracy.

In this context, structured ethics education programs can create the space for MPs to not only receive ethics training around prescriptive instruments, but allows them to take an active, empowered role in debating improvements for such instruments. One such discussion could



be around developing the existing code of conduct beyond given rules of personal behaviour into a set of comprehensive principles adopted from a systemic perspective, reflecting a deeper philosophical understanding of the role of MPs and parliaments in society.

For example, political philosophy has long debated the relationship between individual discretion and regulation in political decision-making, and whether political cultures should invest more in one or the other. While some thinkers suggest that individual discretion should be constrained by creating systems where no particular individual has too much of it (see Madison, in Brien 1998), others emphasize individual character and integrity as the one single factor that can make or break any system (Smith 1976). As the two recommendations are not mutually exclusive, striking the right balance should be a matter of ongoing conversation among MPs. Other relevant objectives for such (formal or informal) conversations and debates among MPs should be to emphasize the exemplary function of MPs' ethical behaviours within society as a whole and, related to this, the direct or indirect powers invested in MPs to not only receive and comply with ethical norms but also shape and create them. Overall, using a reflective rather than directive approach to ethics education, in a variety of structured settings, promotes the treatment of MPs as mature, autonomous and responsible moral agents, who may legitimately disagree on values and principles while making their political co-habitation possible.

## **4.2 Implicit learning**

For MPs, learning on the job often entails observing how the more experienced members and parliamentary staff operate, and drawing their own inferences. To verify those inferences, advice and guidance from trusted sources is paramount. Informal mentoring relations have traditionally filled this need, presenting the risk of creating closed inner circles that promote non-transparent channels of privilege distribution. But are there ways to enhance implicit learning without the perpetuation of a guild mentality?

One way to demystify the role of parliamentarian and bring tacit norms of behaviour into the open, for the benefit of MPs, the institution of parliament and society, is for parliaments to develop cultures in which this role is firmly connected with an explicit professional ideal. While some professionalization processes (as understood in medicine, law or accounting, for example) cannot be applied to parliaments, as public recognition of MP status is not assessable through some formal licensing or accreditation (Lewis and Neesham 2011, Saalfeld 1997), there are nevertheless some clear advantages in the institutionalization of professional ideals and their continuing promotion through a professional culture of exemplary practice that draws from past and present experiences, with a view to developing effective parliamentarians now and for the future. This approach can provide the grassroots support and feedback for structured programs. For example, identifying ethics training as a professional development need is a legitimate, safe, non-patronizing way of approaching ethics training and making it acceptable to MPs.

To be able to improve the effectiveness of both structured programs and informal learning in parliaments, there needs to be more of a focus on examining the variety of sources of available ethics education experiences, and how each source can contribute to this goal. A brief outline of these sources is provided below.

## **Sources of ethics education**

A number of sources are particularly relevant to the nurturing and enhancing of explicit or implicit cultures of ethical behaviour in parliaments. For the purposes of this chapter I have selected referent authorities inside the institution (chamber leaders, experienced members and staff), role models from the past, specialists, political parties, the media, and the public. This list, of course, is not exhaustive.

### **5.1.1 Chamber leaders, experienced members and staff**

The power of parliament as an institution in curbing corruption and promoting ethical behaviours among its members is not always straightforward (Stapenhurst, Johnston and Pelizzo 2006). Notwithstanding this, whenever the parliament's implicit ethical culture loses touch with either its formal instruments or public moral sensibility or both, the penalty is a stronger argument against self-regulation, leading to increasing formal monitoring and compliance processes (Sampford 2011). Moreover, relying on the electorate and political parties to take on the leading role in improving the ethical behaviour of MPs is not sufficient. There is a body of professional competencies (of which parliamentary ethics is an important part) that can most effectively be promoted and monitored by the parliament itself. Lack of such competencies can prevent MPs from properly exercising their legislative function.

Consequently, chamber or parliament leaders with decision making powers should adopt a long-term perspective on the role of parliament in nurturing ethical behaviours among MPs. This could take the form of structured development programs such as inductions sessions, workshops and refresher seminars, leadership by example programs designed to encourage virtuous mentoring relations, and forums for maintaining an ongoing debate about ethical issues of utmost concern to the discharge of parliamentary duties. In addition, experienced MPs with a reputation for sound ethical behaviour have much to offer to newly elected parliamentarians in terms of balancing political ideals and practical wisdom, and hence they should actively engage in mentoring and advising them, whether formally or informally, on a continuing basis. Last but not least, despite lack of confidence in their own relevance in some jurisdictions, parliamentary staff can lead initiatives in both structured programs and informal learning processes. Although it may be argued that career public servants in these roles are not exposed, like MPs, to conflicting priorities arising from representative, legislative and monitoring functions, their long-term experience of legislative processes and the ethical customs of the parliament is a unique asset that should not be neglected.

### **5.1.2 Role models of the past**

Ethics is one distinctive area of thought and action where appeal to tradition can be enlightening and progressive. In initiating and delivering structured or unstructured opportunities for ethics learning, parliamentary leaders, other more junior members and staff can draw on examples of virtuous behaviours (such as self-sacrifice for the public good) displayed by respected former parliamentarians, but also exceptional leaders from all areas of society – whether political, economic, welfare, intellectual, artistic, and so on.

Reference to ‘past heroes’ has some significant advantages. As in more democratic and egalitarian cultures the intense competition for authority can go against the selection of role models from among peers (see research on the Norwegian Storting, in Heidar 1997), hence the past often offers a safe alternative. This phenomenon may extend from those exercising formal coercive authority to informal referent authority. Also, it can be noted that exemplary behaviours from the past are often enshrined in collective memories not for ‘magical’ technical solutions to ethical dilemmas but for the far-reaching impact they can have on the ethical well-being of citizens and society. Recurrent reflections on such examples leadership for the greater good remind MPs that statecraft excellence is meaningless in the absence of humanist purposes. Finally, the use of role models from the more recent past is essential in developing professional ideals and a professional culture, with embedded humanist assumptions (Koehn 1994). An active professional culture becomes more relevant as citizens’ dependence on and distance from their representatives increases (Keane 2009).

### **5.1.3 Specialists: integrity officers, ethics experts**

Formalizing ethics regimes can involve the introduction of integrity and standards commissioners or officers, whether inside the parliament itself or as independent agencies within the wider public service system. While insiders are in a position to acquire a more intimate understanding of specific ethical issues faced by MPs (Kinyondo 2012), outsiders may provide impartiality and broader, more diverse perspectives.

To the extent that it has developed philosophical theories and applied them to different disciplines and practices, ethics as a discipline and philosophy also represents a body of expertise. Within universities in particular, independent scholars dedicated to the development of this expertise can be consulted in order to facilitate more nuanced discussions of complex ethical dilemmas identified by MPs in their broader roles as representatives and legislators. Specialists may be of help when more difficult ethical dilemmas occur, beyond well-established norms relating to general ethical behaviour. Ideally, all three sources (integrity officers within parliaments, commissioners external to parliaments, academic ethicists) should all be consulted and invited to contribute to both structured ethics-based education and training programs and informal learning processes around ethical issues and behaviours.

A relevant body of expertise may also reside in nongovernmental organizations (e.g. the National Democratic Institute, the Westminster Foundation for Democracy, the United Nations Development Programme, the Centre for Democratic Institutions) engaged in

development and education projects designed to assist parliaments in emerging democracies, and developing countries that usually have limited resources for this purpose. Such training and professional development programs have been criticized for lack of relevance and local knowledge (Rozzoli 2012). Nevertheless, in some areas such as the Asia-Pacific (Kinyondo 2012), these agencies can still take a central role in organizing international conferences where parliamentarians from many jurisdictions can meet and learn from each other. They also provide opportunities for bilateral visits and exchanges where members of young parliaments can benefit from mentoring by more mature ones, and facilitate access to best practice databases to be accessed freely by MPs worldwide. National institutes or university-based programs specifically created to deliver training and professional development for MPs (e.g. Pakistan, Vietnam, Romania), which may be better positioned to address issues of local knowledge, may successfully partner with international NGOs to pool resources and deliver strong programs.

#### **5.1.4 Political parties**

For most MPs, political parties function as both sources of directives and dominant schools of thought. As party priorities are often perceived by outsiders as conflicting with solutions for achieving greater good, leaders of political parties, in particular, should keep in mind the considerable impact that party culture has on the decisions and actions of their MPs, and consequently exercise this influence in accordance with a broader perspective of responsibility to society and its future rather than in pursuit of short-term political gains. In support of this, both chamber leaders and leaders of the most representative political parties can initiate and foster open channels of communication with each other on ethical issues of concern for the effective operation of parliamentary activities, as well as for the maintenance of a reputable parliamentary culture.

#### **5.1.5 The media**

The presence of the media is crucial in maintaining a permanent connection between the public and their elected representatives. While providing a vital accountability vehicle in any democracy, media leaders are also market players, and this may sometimes have distorting effects. As formal parliamentary ethics regimes are subjected to greater public scrutiny, media interest in ‘sleaze’ increases, and with it the decline of public trust in MP behaviour (Allen 2011). Critiques of ‘an insomniac media’, too busy ‘titillating consumers’ (Lewis 2012, p. 699) indicates where journalistic interest in the behaviour of MPs can be distorted. It has been suggested that over-scrutiny of MPs’ behaviours can have counter-productive effects (Allen 2011). Over-judgmental negative attitudes may lead to MPs caring less about being ethical and more about retaining power at all costs. In this context, the media’s social responsibility is to resist the temptation of sensationalistic reporting and, instead, present the public with well-researched, unbiased and refined analyses of the ethical dilemmas facing MPs’ and their reaction to those dilemmas. When professionally conducted, analyses

provided by journalists can serve as useful materials for reflection and debate in both structured and unstructured ethics education activities for MPs.

### **5.1.6 The public**

Public opinion is of tremendous importance to guiding ethical decision making, especially in the case of agents holding public office. Ethical theory conceptualizes this guiding role as the light of day test. The question here is: if *everyone* knew about a given behaviour and its context, would they consider it ethical? This normative principle is as fundamental to ethics as are consequences and the golden rule ((Pagano 1987).

But what happens if the public continues to have a negative opinion of the ethical performance of MPs, despite efforts to prove the contrary? This discrepancy was observed, for example, in the aftermath of UK's parliamentary expenses scandal in 2009 (Allen 2011). There are reasons to believe that a negative feedback loop may be formed, and that undesirable behaviours will ultimately be enforced. For example, this author's informal conversations with Romanian MPs in 2009-2010 revealed instances where MPs' disillusionment with the public's perception of some of their actions had led them to care less rather than more about making hard, self-sacrificing ethical choices. A vicious circle may thus be formed, causing informal ethical standards to drop and, in the longer term, for more people with less scruples to volunteer for public office. Public norms are decisive in this process. If people with a personal reputation for being honest come across to the public as ill-prepared ethically for the sometimes unethical political battles ahead, then who will the electorate vote for?

Moreover, the duty of members of the public is to evaluate the the moral standing of our MPs not only during elections, but on a continuing basis. The public should be actively involved in the debate around ethical standards applicable to MPs, and this debate should be regarded by MPs as a pivotal element in their ethics education. The typical reaction of the public to media exposures of questionable behaviours by MPs is to call for more regulation and oversight structures. While this reaction is legitimate, it may also prove to be an incomplete, short-sighted, simple solution to a complex problem (Sampford 2011). Each member of the public should be prepared to make extra efforts to develop more nuanced perspectives on ethical issues surrounding MPs' behaviours, and share these with others in a public debate that should inform both explicit and implicit norms of ethical behaviour in parliaments.

As an addendum to the above discussion - while the government of the day should not be involved in advising on content regarding ethical education and training for MPs, as elsewhere emphasized (see Norton 2012), it should provide the parliament with the necessary resources to support more comprehensive efforts.

## **6. Towards a new approach to ethics education for parliamentarians**

Based on the above arguments, I will now summarize my recommendations for a new approach to ethics education for MPs. Both structured programs and informal learning should be promoted, and the two aspects should continuously inform each other. In both cases, learning goals should be extended beyond awareness of ethical issues, to include ethical decision-making skills and competencies.

In structured programs, rule learning for routine situations should be complemented by experiential learning (via case studies, role plays and simulations) – and the latter should form the larger part of ongoing ethics training, especially post-induction. As parliamentary experience accumulates, such programs need to include the examination of more complex dilemmas specific to public and political ethics, which are not encountered in everyday life. Facilitators should use role-based ethics teaching approaches which emphasize character building while avoiding paternalism. They should actively encourage facilitation of ethics programs in such a way that allows learners, in this case parliamentarians, to feel they own the learning process. Where possible, reflection on ethical issues should be embedded in the learning of other skills, such as political decision-making, communication and negotiation, in recognition of the fact that ethics is not a separate topic but a ubiquitous, inherent dimension of the parliamentary role. All of these actions should be underpinned by an andragogic perspective that treats MPs not as passive recipients of ready-made prescriptions but as reflective, mature, autonomous moral agents who actively contribute to the strengthening of parliamentary ethics regimes through well-considered decisions and exemplary behaviours that lead to norm creation and change.

In this context, open collegial debates should become regular, on issues such as the relationship between individual agency and formalized decision-making systems, MPs' social contract with various stakeholders, their leading role in the formation of a strong professional culture, and the design of political frameworks that nurture pluralism and democracy. Tacit ethical norms can be made explicit and transferred more easily across generations through the formulation of professional ideals, appeal to role models of the past, and the promotion of long-term mentoring relations. In both structured programs and informal learning processes, parliamentary leaders, members and staff, specialists, political parties, the media and the public – all have a key role to play. They should work together, in supporting the creation of healthy, ethical parliamentary cultures. This is an essential condition in maintaining the parliament as the leading legislative institution and custodian of democratic values in our society.

**Dr Cristina Neesham, Department of Leadership and Management, Faculty of Business and Law, Swinburne University of Technology, Hawthorn, Australia 3122**

Tel: +61 3 9214 4731 **cneesham@swin.edu.au**

Dr Cristina Neesham is Senior Lecturer in the Department of Leadership and Management, Faculty of Business and Law, Swinburne University of Technology. Her research focuses on ethics, social philosophy, social responsibility and governance in the context of business and the public sector. In the area of public ethics and governance, Dr Neesham researches the role of professionalisation and professionalism in enhancing the ethical behaviour of parliamentarians. She has published refereed articles and book chapters on parliamentary ethics and the moral conditions of the good society. Dr Neesham is section editor of the Teaching Business Ethics section of the *Journal of Business Ethics*, Chair of the Australasian Business Ethics Network, and member of the Paris Research in Norms, Management and Law (PRIMAL) Network at the University of Paris X.

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